



U.S. Department of Justice

FXH:edp

United States Attorney  
District of Minnesota

US EPA RECORDS CENTER REGION 5



515804

234 United States Courthouse  
Minneapolis, Minnesota 55401

FTS/781-7430  
612/332-8961

August 13, 1981

Allen Hinderaker  
POPHAM, HAIK, SCHNOBRICK,  
KAUFMAN & LOTY, LTD.  
4344 IDS Center  
Minneapolis, MN 55402

Re: United States of America, et al v. Reilly Tar &  
Chemical Corporation, et al  
D. Minn., Civil No. 4-80-469

Dear Allen:

Recently, actions undertaken and being considered by the City of St. Louis Park, which may affect the course of the above-named litigation, have come to our attention, and we want to express our concern to you about them. First, we have recently learned that the City has, in the past, returned PAH-contaminated wells to temporary service and that it intends to continue to do so. Because the original closings of the wells were based upon concerns for public health, we would like to discuss with you the basis for the return of the wells to use.

Second, federal and state government representatives recently observed that monitoring wells located south of Highway 7 in a swamp area have been covered with fill. The area is one which the City has used to stockpile contaminated soils removed during the Louisiana Avenue extension construction. The covering of these wells makes further monitoring from the wells impossible and thus cuts off from use wells which have been used to gather evidence in this case. In addition, other wells in the fill area have been partially covered.

A third potential problem that has come to our attention results from the City's plan to sell property upon which old St. Louis Park well number 1 is located. That well has been used to monitor the movement of contaminants from the Reilly Tar site since the 1930's. We would be quite concerned if the land were sold without provision for continued use of the well.

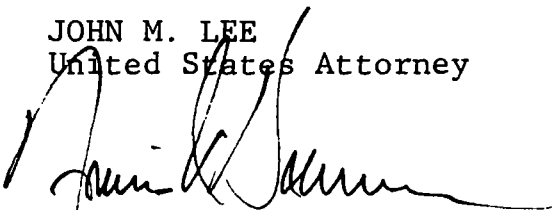
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We think it is important that the City not take actions which will make the proof and remedying of the contamination problem from the Reilly Tar operation more difficult to achieve.

Sincerely yours,

JOHN M. LEE  
United States Attorney



BY: FRANCIS X. HERMANN  
Assistant United States Attorney

cc: Erica L. Dolgin  
Richard W. Emory, Jr.  
✓ Robert Leininger  
Lucy Sibold  
Dennis Coyne

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